

Notice of Allowability

Application No.

10/697,647

Applicant(s)

HAMASHIMA ET AL.

Examiner

Thuy V. Tran

Art Unit

2821

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment submitted 10/30/2006.
2. ☒ The allowed claim(s) is/are 1-4 and 6-10.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

THUY V. TRAN
PRIMARY EXAMINER

DETAILED ACTION

This Office Action is responsive to the Applicants' amendment submitted on October 20, 2006. In virtue of this amendment, claims 5 and 11-12 are canceled, and thus, claims 1-4 and 6-10 are now presented in the instant application.

Allowable Subject Matter

1. Claims 1-4 and 6-10 are allowed.

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance:

Prior art fails to disclose or fairly suggest:

- An electron beam apparatus comprising a deflector for deflecting said secondary electron beams in said secondary optical system wherein said deflector is controlled to deflect said plurality of secondary electron beams to prevent said plurality of secondary electron beams from moving on said detector in response to the scanning of said plurality of primary electron beams, in combination with the remaining claimed limitations as called for in independent claim 1 (claims 2 and 4 are allowed since they are dependent on claim 1);
- An electron beam apparatus further comprising a number of memories twice as much as a number of the detectors for storing digital signals generated by A/D converting the detection signals, and change-over switches disposed in front of and at a back of the memories, in combination with the remaining claimed limitations as called for in independent claim 3;

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- An electron beams apparatus wherein said electron gun comprises a multi-emitter machined as a cathode including a plurality emitters integrated thereon, a heater for heating said multi-emitter, and a supporter for fixing said multi-emitter and said heater at given positions, in combination with the remaining claimed limitations as called for in independent claim 6 (claims 7-9 are allowed since they are dependent on claim 6); and
- An electron beam apparatus comprising a condenser lens for converging the plurality of primary electron beams emitted from said electron gun, a multi-aperture plate having a plurality of apertures, a demagnification lens for demagnifying the plurality of primary electron beams, wherein said condenser lens forms a crossover image at a point between said multi-aperture plate and said demagnification lens, in combination with the remaining claimed limitations as called for in independent claim 10.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Inquiry

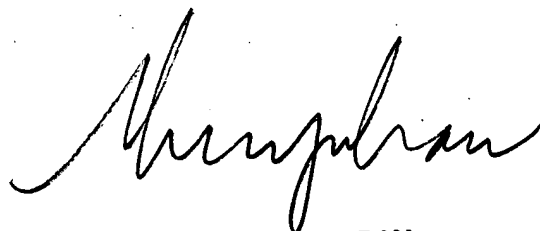
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy V. Tran whose telephone number is (571) 272-1828. The examiner can normally be reached on M-F (8:00 AM -4:00 PM).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy P. Callahan can be reached on (571) 272-1740. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

11/22/2006



THUY V. TRAN
PRIMARY EXAMINER